

**REMARKS**

Claims 1-6, 11, 13-18, 20, 22, 24-28, 33, 35-39, 41, and 43 are pending after the amendment.

The examiner rejected Claims 7-10, 12, 21, 29-32, 34, and 42 under 35 USC 112, 4<sup>th</sup> paragraph, as failing to further limit the subject matter of a previous claim. All of these claims have been cancelled.

The examiner rejected independent Claims 1 and 24, as well as all of their dependent claims, as being anticipated or obvious over Bennett (US Pat. 6,089,977).

The examiner construed Claims 1 and 24 in a way that was not intended by Applicant. Claims 1 and 24 have been amended to be made more clear.

The examiner rejected Claims 1 and 24 over particular situations that are possible to occur in Bennett. The amendments to Claims 1 and 24 cause no situations in Bennett to meet the limitations in Claims 1 and 24, as explained below.

Bennett describes a game where the occurrence of an ICEBERG symbol in a leftmost reel and a J/B symbol in the rightmost reel initiates a special feature. (Col. 3, lines 60-67.) The examiner equated the ICEBERG and J/B symbols to the claimed "special symbol" in Claims 1 and 24. The occurrence of these special symbols in the matrix of symbols causes a PENGUIN symbol to appear and waddle in a serpentine pattern from the top symbol on the leftmost reel through to the bottom symbol on the rightmost reel. At every position, the PENGUIN acts like a single wild card, and the player wins awards for each winning combination of symbols (taking into account the wild card) as the PENGUIN moves through the matrix.

The examiner indicated that it is possible for the PENGUIN, as a wild card, to represent the same symbol as a leftmost symbol or a rightmost symbol when creating a winning combination of symbols. The examiner indicated that the PENGUIN essentially converts the symbols it overlies to whatever symbol is needed for creating a winning combination. Therefore, it is possible for the PENGUIN to "change" a symbol on reel 2 to

PATENT LAW GROUP LLP  
2035 N. FIRST ST.  
SUITE 303  
SAN JOSE, CA 95134  
(408) 382-0480  
FAX (408) 382-0481

the same symbol on the leftmost reel (which is left of the J/B special symbol) to create matching symbols to win an award. The examiner cited the example in Bennett's col. 4, lines 27-32, where the PENGUIN essentially converts the underlying symbol to a SEAL symbol, which matched the SEAL symbol in the leftmost reel, which is left of the J/B special symbol.

The previous Claim 1 (similar to Claim 24) recited the limitation of: "said converting comprises changing any symbols on a pay line to the left of said special symbol, on the same pay line, to a leftmost symbol on said pay line or converting any symbols on said pay line to the right of said special symbol, on the same pay line, to a rightmost symbol on said pay line." So the examiner construed the claims to allow merely one symbol to the left of the J/B special symbol, but not all symbols to the left of the J/B special symbol, in the pay line to be converted.

Applicant has amended Claims 1 and 24 to replace the word "any" with "all." Thus, Claims 1 and 24 require all the symbols to the left (or right) of the special symbol on the same pay line to be converted to a leftmost (or rightmost) symbol on the pay line. Since Bennett can only convert one symbol at a time, and the special symbols are on the leftmost and rightmost reels, it is impossible for Bennett to meet the claim language.

The claimed invention is not an obvious variation on Bennett but is a totally new concept. Accordingly, Claims 1 and 24, and their dependent claims, are respectfully submitted to be allowable.

The remaining independent claims are Claims 11 and 33. The examiner rejected Claims 11 and 33 as being obvious over O'Halloran (US Pat. 6,439,993).

Claims 11 and 33 have not been amended because it is respectfully submitted that the examiner is reading too much into some vague statements by O'Halloran. Independent Claims 11 and 33 include the limitation: "wherein said converting comprises converting all symbols adjoining said special symbol on multiple pay lines to special symbols identical to said special symbol."

O'Halloran just teaches converting symbols on one pay line to wild card symbols upon the occurrence of a triggering wild card symbol(@) on that same pay line. The

PATENT LAW GROUP LLP  
200 N. FIRST ST.  
SUITE 223  
SAN JOSE, CA 95134  
(408) 382-0481  
FAX (408) 382-0481

examiner admits that O'Halloran "lacks in specifically disclosing converting 'all' symbols adjoining the special symbol on 'multiple' paylines to special symbols identical to the special symbol." The examiner points to a vague sentence in O'Halloran's col. 1, lines 48-51, as disclosing that, when a "special symbol occurs, the substitution can occur on adjacent reels so as to be contiguous on a win line."

O'Halloran's col. 1, lines 48-54, reads as follows:

It is preferred that there are three win lines. Further, the wild cards can be caused to substitute on adjacent reels so as to be contiguous **on a win line**. In one embodiment there can be five reels, meaning the number of wild cards will be an original (or triggering) one, and one to four further (or expanding) ones. That is, the wild cards can substitute for every original/other symbol **on a win line**. (Emphasis supplied)

What O'Halloran is referring to in the above quote, consistent with the remainder of his patent, is that the wild cards only appear **on the same single win line** as the triggering wild card. A single win line just includes one symbol per reel. Even O'Halloran's claims are limited to the wild cards appearing on only the win line that the triggering wild card appeared on. Although O'Halloran mentions that there may be more than one win line across the matrix of symbols, O'Halloran's description is still limited to the wild cards only **appearing on the same single win line** as the triggering wild card. In contrast, in Applicant's Claims 1 and 33, the occurrence of a special symbol causes the conversion of "all symbols adjoining said special symbol on multiple pay lines to special symbols identical to said special symbol."

The examiner also mentioned, without identify any suggesting language in O'Halloran, that Applicant's invention would be obvious in view of O'Halloran. However, O'Halloran is specifically directed to only changing symbols along the same win line on which the triggering wild card symbol appeared. This is very different in concept from Applicant's "converting all symbols adjoining said special symbol on multiple pay lines to special symbols" in Claims 1 and 33.

Accordingly, allowance of all pending claims is respectfully requested.

PATENT LAW GROUP LLP  
2633 N. FIRST ST.  
SUITE 223  
SAN JOSE, CA 95134  
(408) 787-0480  
FAX (408) 282-0481

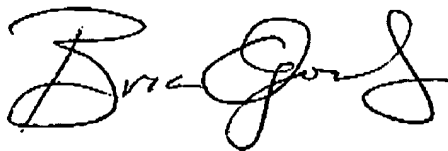
Should the Examiner have any questions or wish to make the claims clearer, the Examiner is invited to call the undersigned at (408) 382-0480 x202.

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B. D. Ogonowsky 3/16/06  
Signature Date

Respectfully submitted,



Brian D. Ogonowsky  
Attorney for Applicant  
Reg. No. 31,988

PATENT LAW GROUP LLP  
205 N. FIRST ST.  
SUITE 223  
SAN JOSE, CA 95114  
(408) 382-0480  
FAX (408) 382-0481